

E-filed 3/5/08

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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ROBERT MCCARTHY

Plaintiff,

v.

**ALTAMIRA CORPORATION d.b.a.
ARBY'S ROAST BEEF RESTAURANT;
CHERRY CHASE INVESTORS; And DOES
1 THROUGH 10, Inclusive,**

Defendants.

Case No.: C07-05027 HRL

**STIPULATED DISMISSAL WITH
PREJUDICE OF ALL DEFENDANTS
AND PLAINTIFF'S COMPLAINT IN ITS
ENTIRETY AND ORDER**

[Fed.R.Civ.P. Rule 41(a)(2)]

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1 **IT IS HEREBY STIPULATED** by and between **ROBERT MCCARTHY**, Plaintiff, on
2 the one hand, and Defendants **ALTAMIRA CORPORATION d.b.a. ARBY'S ROAST BEEF**
3 **RESTAURANT** and **CHERRY CHASE INVESTORS** on the other hand, through their
4 respective attorneys of record that, pursuant to Federal Rules of Civil Procedure, Rule 41 (a)(1)
5 and (2), this Court enter a dismissal with prejudice of all Defendants including but not limited to
6 Defendants **ALTAMIRA CORPORATION d.b.a. ARBY'S ROAST BEEF RESTAURANT**
7 and **CHERRY CHASE INVESTORS**, from Plaintiff's Complaint. Additionally, Plaintiff
8 requests that Plaintiff's complaint be dismissed with prejudice in its entirety.

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10 **IT IS SO STIPULATED.**

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12 Dated: 1-15-2008

PINNOCK & WAKEFIELD, A.P.C.

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14 By: /S/ David C. Wakefield
15 DAVID C. WAKEFIELD, ESQ.
16 Attorneys for Plaintiff

17 Dated: 1-15-2008

LITTLER MENDELSON

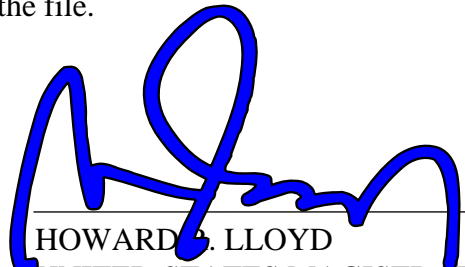
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19 By: /S/ Tyler M. Paetkau
20 TYLER M. PAETKAU, ESQ.
21 Attorney for Defendants

22 **ORDER**

23 PURSUANT TO THE STIPULATION OF THE PARTIES, this action is hereby
24 dismissed with prejudice. The Clerk shall close the file.

25 **IT IS SO ORDERED.**

26 Date: 3/5/08

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HOWARD S. LLOYD
UNITED STATES MAGISTRATE JUDGE